

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 2541 – HB 2585

February 26, 2010

**SUMMARY OF AMENDMENT (014226):** Authorizes any prescription issued by a practitioner who has died to be dispensed based on the pharmacist's professional judgment. A new prescription that has never been dispensed can be within 90 days following the date of the prescriber's death. A previously dispensed drug that has authorization to be refilled can be within 90 days from the date of the prescriber's death for schedule III, IV, and V drugs or within 180 days for non-scheduled drugs. The provisions do not apply to schedule II controlled substances.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – Not Significant/Board of Pharmacy

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions applied to amendment:

- The Board of Pharmacy will be responsible for informing licensed pharmacists of the provisions of the bill which will be accomplished at the annual continuing education sessions.
- There will not be a significant number of violations. Any disciplinary actions against any licensee by the Board will not result in a significant increase in expenditures.
- Any cost can be accommodated within existing resources of the Board without an increase in fees.
- Pursuant to Tenn. Code Ann. § 4-3-1011, all health-related boards are required to be self-supporting over a two-year period. As of June 30, 2008, the Board had a positive balance of \$261,783.99. The Board's FY08-09 balance is not yet available.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized initial "J".

James W. White, Executive Director

/kml